

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALLA MEDVEDEVA, Individually and on
Behalf of All Others Similarly Situated,

Case No. 17-CV-5739(WFK)(LB)

Plaintiff,

DEFENDANT'S
NOTICE OF MOTION
TO DISMISS

-against-

ASSISTCARE HOME HEALTH SERVICES
LLC (d/b/a Preferred Home Care of New York
and Preferred Home Care of New York LLC),

Defendant.

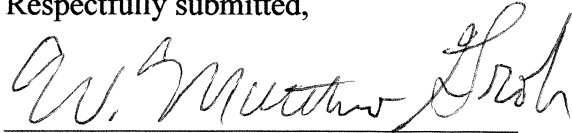
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PLEASE TAKE NOTICE that upon: (1) the accompanying Memorandum of Law in Support of Defendant's Motion to Dismiss; (2) the accompanying Affirmation of W. Matthew Groh and all exhibits annexed thereto, (3) the accompanying Affidavit of Avraham Shaya Manne and all exhibits annexed thereto; and (3) the pleadings heretofore filed, Defendant Assistcare Home Health Services LLC (d/b/a Preferred Home Care of New York and Preferred Home Care of New York LLC) (hereinafter referred to as "Preferred" or "Defendant"), by its undersigned counsel, will move this Court before the Honorable William F. Kuntz, II, United States District Judge, in the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing Counts I, II, III, IV, V, VII, VIII, IX, and X of the Class and Collective Action Complaint with prejudice against it and for such other and further relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, per the Court's Order dated April 16, 2018, Plaintiff's opposition papers, if any, shall be serviced by June 29, 2018. Defendant shall serve any reply papers by July 27, 2018.

Dated: Jericho, New York
June 1, 2018

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Matthew Groh", written over a horizontal line.

W. Matthew Groh (WMG 4937)
Naness, Chalet & Naness, LLC
Attorneys for Defendant
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